United Nations S/2015/172

Security Council

Distr.: General
10 March 2015

Original: English

Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraph 39 of Security Council resolution 2147 (2014). It covers major developments in the Democratic Republic of the Congo since my reports of 30 December 2014 (S/2014/956 and S/2014/957), including with regard to the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region and progress made by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in implementing its mandate.

II. Major developments

A. Political developments

2. Controversy over the revision of the electoral law marked the extraordinary session of Parliament that concluded on 26 January. The Government submitted to the Parliament a draft electoral law that conditioned the holding of the 2016 presidential and legislative elections on updated demographic data to be obtained through a population census. The last census was undertaken in 1984. The political opposition interpreted the clause as an attempt to delay the 2016 elections and allow the President, Joseph Kabila Kabange, to remain in power beyond his second and last term according to the Constitution. Opposition parties boycotted the vote on the draft law on 17 January. The National Assembly nevertheless passed the text. In protest, the political opposition called for demonstrations.

3. On 19 January, student protests and street demonstrations broke out in various neighbourhoods in Kinshasa and other cities, including Bukavu, Goma, Lubumbashi, Mbandaka and Mbuji-Mayi. Demonstrations continued during the following days, evolving into a larger protest movement, spearheaded by youths, against the controversial clause in the law.

4. In Kinshasa, police stations, town halls and Chinese businesses were looted and vehicles burned, and some administrative buildings were set on fire in Goma.

15-03388 (E) 130315

Please recycle

The Government promptly deployed riot police and troops, including the Republican Guard, to respond to the protests. Disproportionate force was used in some instances and there were reports of alleged human rights violations committed by the national security forces. MONUSCO documented the killing of at least 20 civilians and the wounding of 64 others by the police and the Republican Guard from 19 to 23 January in Kinshasa and Goma. Figures from the Government and various human rights non-governmental organizations were higher, putting the number of deaths at 27 and 42, respectively. At least 480 individuals across the country, many from the political opposition, were arrested. The police reportedly prevented several leaders of the opposition from leaving their party headquarters to join the demonstrations. In Goma, demonstrations resulted in clashes between the police and demonstrators, killing four civilians. In Bukavu (South Kivu), the police used tear gas to prevent demonstrators from marching. In Lubumbashi (Katanga), the police reportedly arrested 13 members of the Union pour la démocratie et le progrès social at the party's local headquarters.

5. On 20 January, the Catholic archbishop of Kinshasa, Cardinal Laurent Monsengwo, urged the Government to stop using disproportionate force against demonstrators, while calling on the population to continue opposing the modification of the electoral law through peaceful means. On the same day, the Government suspended Internet, social media and text messaging services in an effort to prevent the organization of further demonstrations. Internet and text messaging services were restored on 8 February, but major social media services remained suspended. The Government also ordered the temporary closure of two private television stations in Kinshasa and suspended the broadcasting of Radio France Internationale.

6. From the outset, MONUSCO leaders worked actively with key political and civil society stakeholders and in close coordination with other international partners to restore calm. In a statement issued on 21 January, MONUSCO called for all political actors to refrain from violence and for the national security forces to abide by the principle of proportionate use of force. On 22 January, I called on all key stakeholders to resume the political dialogue to discuss election-related matters in an inclusive and peaceful fashion and in the appropriate forums. The Security Council and my team of special envoys and special representatives echoed the appeal on the same day.

7. On 22 January, the Senate passed the bill after having removed the clause referring to the population census. The protests subsided nationwide following the announcement by the President of the National Assembly, Aubin Minaku, on 24 January, that there was agreement on removing the contentious clause. The revised text of the electoral law was adopted by both houses of Parliament on 25 January and was promulgated by the President of the Democratic Republic of the Congo on 12 February.

8. The debate on the electoral law and the final decision of the Parliament to adopt the law without the controversial provision accentuated divisions within the ruling presidential majority coalition. On 9 February, following earlier calls by some key stakeholders from within the ruling coalition against a constitutional revision, former Prime Minister Antoine Gizenga from the Parti lumumbiste unifié condemned the violence and killings during the demonstrations in January and called for elections to be held within the constitutional time frame. At the same

time, some parties of the ruling coalition held peaceful demonstrations in Beni (North Kivu) and in Bukavu and Uvira (South Kivu) in support of the President.

9. Representatives of the political opposition and civil society continued to voice concerns about the lack of political space and about cases of arbitrary arrest and detention. At least 300 people remain in detention as a result of mass arrests carried out during the protests in January. Of those people, at least 11 are believed to be held in detention incommunicado. Prominent civil society representative Christopher Ngoyi Mutamba was arrested on 21 January in Kinshasa. On 11 February, he was charged with 10 criminal offences, including with threatening the internal security of the State. On 28 January, the Supreme Court of Justice in Kinshasa declared itself competent to decide on the merits of a defamation case against the President of the opposition party Union pour la nation congolaise, Vital Kamerhe. The decision to move forward with the trial was perceived by his supporters as a deliberate attempt to prevent him from running in the 2016 presidential elections and provoked some spontaneous demonstrations in Bukavu (South Kivu).

10. On 12 February, the national independent electoral commission published a global electoral calendar. In accordance with that calendar, combined local and provincial elections are to be held on 25 October 2015, while presidential and legislative elections are scheduled for 27 November 2016. The publication of the calendar was well received by national stakeholders and international partners as an important step towards the holding of timely elections, although some opposition parties questioned its feasibility.

B. Progress in the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region

Decentralization

11. The most significant progress in the implementation of national commitments under the Framework was made in the area of decentralization. In December 2014, a minister in charge of decentralization was appointed and, on 25 January, the Parliament passed two essential laws, one delimiting the new boundaries of the 25 provinces and one establishing the new provinces. In accordance with the Constitution, the provinces of Bandundu, Equateur, Kasai occidental, Kasai oriental, Katanga and Orientale will be split, while the other provinces will maintain their current delimitation.

12. The law envisages the setting up of a commission charged with establishing the new entities in each new province. The commissions were given some 120 days to complete the process. The Government will have five years to conduct the necessary rehabilitation and infrastructure work for the new provincial administrations to become operational. At the provincial level, the adoption of the legislation increased political tensions, particularly in Katanga, where the delimitations of the new provinces were contested by some key political stakeholders and certain local communities. Others were vehemently in favour.

Consolidation of State authority and stabilization

13. Some progress was made in the development of provincial stabilization strategies and action plans for North Kivu, Orientale and South Kivu under the framework of the International Security and Stabilization Support Strategy. In all three provinces, consensus was reached on concrete steps to be taken by the Government and international partners, based on a joint vision, to increase the effectiveness and sustainability of stabilization activities in eastern Democratic Republic of the Congo. In Mambasa (Orientale), the second pilot project under the Strategy, funded by the United Nations Peacebuilding Fund, was launched by the governor on 10 February.

Governance reforms

14. Efforts to further financial reforms and economic development continued with the adoption of important legislation. On 14 January, the Parliament passed a bill liberalizing the insurance sector that is expected to improve the business climate in that sector. The Parliament adopted other legislative texts, including a hydrocarbon law, a law on leasing and a set of five laws ratifying bilateral treaties on the Grand Inga Dam project and on the protection of investments.

C. Security situation

15. In North Kivu, the Allied Democratic Forces (ADF) and other unidentified armed elements continued to pose a significant threat to civilians in the area of Beni. Although progress was made by the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo — FARDC) against ADF in Beni territory, where the group was forced out of most of its positions, the ADF command structure appeared to remain intact. ADF is now dispersed in small groups and its combatants are resorting to guerrilla warfare tactics. On 3 February, 24 civilians were brutally killed by machete by suspected ADF elements. On 16 February, one civilian was killed and one was kidnapped by alleged ADF elements north-east of Butembo. Since October 2014, MONUSCO has documented the brutal killing of at least 269 civilians by suspected ADF elements and other unidentified armed elements in Beni territory. In response to the most recent killings, the Governor of North Kivu temporarily relocated to Beni to coordinate the Government's response to the continued attacks on the civilian population.

16. In anticipation of FARDC operations, increased movements by elements of the Forces démocratiques pour la libération du Rwanda (FDLR) were observed in North Kivu and South Kivu. It was reported that those elements continued to commit human rights violations, including looting, kidnapping and forced recruitment of children. On 11 February, FDLR elements ambushed a FARDC patrol near Nyamilima, killing two soldiers and wounding three. The redeployment of FARDC units in preparation for operations against FDLR created security vacuums in certain areas of Masisi and Walikale territories. This situation was exploited by other armed groups and caused the displacement of some civilians.

17. During the reporting period, Mayi-Mayi Raia Mutomboki factions in South Kivu continued to operate in the vicinity of mining sites in Shabunda territory, causing the displacement of civilians. In the southern part of the province, FARDC,

with the support of MONUSCO, continued to carry out operations against the Forces nationales de libération du Burundi (FNL) and other armed groups.

18. In Orientale, renewed activity by elements of the Lord's Resistance Army (LRA) was reported in Dungu territory, Haut Uélé district. Six people, including two FARDC soldiers, were reportedly killed during 10 separate attacks and, as at 15 February, dozens of civilians were allegedly abducted. Most of the attacks consisted of road ambushes carried out by small groups of highly mobile, armed LRA elements who moved together with abducted women and children. It is believed that much of LRA has been present in a wide area of Haut Uélé and Bas Uélé districts since mid-2014. LRA continued to be active in and around Garamba National Park and is involved in poaching activities and ivory trafficking.

19. On 2 January, the Congolese authorities arrested the leader of the Forces de résistance patriotiques de l'Ituri (FRPI), Justin Banaloki (alias Cobra Matata), while he was attempting to escape house arrest in Bunia, Ituri district (Orientale). On 5 January, Cobra Matata was transferred from Bunia to Kinshasa with MONUSCO support and is currently detained at N'dolo military prison. He is accused of desertion, forming a rebel movement, crimes against humanity, war crimes, child recruitment and attempting to escape from detention. Negotiations with the Government for his surrender and the surrender of 812 combatants failed, as Cobra Matata insisted on a general amnesty for himself and his men as well as FRPI integration into FARDC with recognition of those men's ranks. Two weeks after the expiration of a deadline given by the Government for FRPI to surrender, on 15 January fighting broke out between FARDC and some 900 armed elements of FRPI. The clash resulted in the killing of seven FARDC soldiers and 24 FRPI elements. One civilian was killed and four other civilians, including three women, were seriously injured. Around 15,000 people were displaced from their homes. FRPI subsequently left its position in Aveba, splintering into several groups and resuming hit-and-run attacks on villages, thereby posing a renewed threat to civilian life and property in the area. Between 16 and 17 February, FRPI carried out several attacks on a number of villages. In Rwampara-Manje, three persons were injured, while in Mbetsi two women were killed. FRPI also reportedly abducted and raped 10 women in Walendu.

20. In Katanga, the security and humanitarian situation deteriorated further owing to the continued activities of Kata Katanga militia, in spite of continuing FARDC operations against the group, and as a result of intercommunal clashes between the Twa and the Luba communities in several territories of Tanganyika district. On 13 February, during intercommunal attacks in Manono, nine civilians were killed and several women were abducted. In Katanga, approximately 560,000 persons remain internally displaced.

21. In Equateur, the security situation in the border area remained tense owing to the spillover from the conflict in the Central African Republic. Some 10 anti-balaka and ex-Séléka elements were arrested by the Congolese national police and repatriated to the Central African Republic.

D. Humanitarian situation

22. In the Democratic Republic of the Congo, 7 million people require humanitarian assistance to meet their basic needs, of whom nearly 2.8 million are internally displaced. About 85 per cent of internally displaced persons live with host families.

The rest live in camps. On 5 February, a humanitarian action plan was launched in Kinshasa, requiring $692 million to address the prioritized needs of 5.2 million people affected by four types of crisis: conflict; malnutrition; epidemics; and natural disasters. The humanitarian community continues to provide aid to people in need. In the area of Beni (North Kivu), 8,000 of the 17,700 families displaced as a result of atrocities committed by ADF received humanitarian assistance.

23. As at 31 December 2014, an estimated 6.5 million people in the Democratic Republic of the Congo were in a situation of acute food security and livelihood crisis. In addition, 43 per cent of children under the age of 5 were stunted because of chronic malnutrition.

24. Some 443,000 Congolese continue to live as refugees and asylum seekers in neighbouring countries, while the Democratic Republic of the Congo hosts some 122,000 refugees, including more than 68,000 from the Central African Republic, 40,000 from Rwanda, 9,000 from Burundi and 4,000 from other countries. As at 5 February, the Office of the United Nations High Commissioner for Refugees (UNHCR) registered 19,289 additional refugees from the Central African Republic in Equateur. Efforts are under way to identify and register an estimated 245,000 Rwandan refugees in eastern Democratic Republic of the Congo. The identification exercise conducted by the National Commission for Refugees between November 2013 and January 2014 resulted in the registration of 245,298 Rwandan refugees. The Commission and UNHCR are now planning a biometric registration exercise that will enable better protection and assistance. It is estimated that the registration will cost $2.4 million. The United States Bureau of Population, Refugees and Migration has pledged $1 million in support of this process.

E. Economic developments

25. Macroeconomic performance remained stable and inflation at below 2 per cent. Growth continued to be driven essentially by increases in mining output and, to some extent, higher production in the agricultural sector. The main risk to the economic outlook arises from reduced inflows of foreign direct investment owing to political instability and a decline in copper and cobalt prices, which account for about 98 per cent of exported goods and 44 per cent of nominal gross domestic product. On 31 December 2014, the President of the Democratic Republic of the Congo promulgated the 2015 budget law, with a budget amounting to $9.07 billion, which represents an increase of 2 per cent compared with the 2014 budget.

F. Regional developments

26. Relations in the region remained strained over the issue of FDLR and the implementation of the Nairobi Declarations of 12 December 2013. The deadline that was set by the International Conference for the Great Lakes Region (ICGLR) and the Southern African Development Community (SADC) and endorsed by the Security Council for the voluntary disarmament of FDLR expired on 2 January. In a statement issued on that date, the Government of the Democratic Republic of the Congo noted that since only 26 per cent of the estimated 1,400 FDLR elements in the country had surrendered, military operations had become inevitable. The ICGLR, SADC and international partners echoed that conclusion. South Africa and

the United Republic of Tanzania confirmed their full support for military operations against FDLR in separate statements issued on 9 and 13 January.

27. There was limited progress in implementing the Nairobi Declarations. The coordinator for the Movement of 23 March (M23), René Abandi, resigned on 12 January, accusing the Government of the Democratic Republic of the Congo of having violated the agreements. By the end of the reporting period, 182 of an estimated 1,678 ex-M23 elements had been voluntarily repatriated to the Democratic Republic of the Congo. Following the repatriation of a first group of 120 ex-M23 elements on 16 December 2014, some 1,100 ex-M23 elements remained in the Bihanga cantonment camp in Uganda, with the majority of them reportedly reluctant to being repatriated. As part of efforts to expedite the repatriation of the 453 registered ex-M23 elements and their weapons from Rwanda, the Government of the Democratic Republic of the Congo dispatched a technical team to Kigali from 2 to 4 February to discuss the modalities. In a joint communiqué issued on 3 February, both Governments reiterated their willingness to respect the international obligations contained in the Framework and the Nairobi Declarations.

28. The third evaluation meeting on the implementation of the Nairobi Declarations was held in Kinshasa on 11 February under the chairmanship of the Executive Coordinator of the National Oversight Mechanism of the Framework. It was agreed to dispatch a Government-led multidisciplinary team to Uganda with a view to expediting and concluding the repatriation of ex-M23 elements and their weapons. The participants in the meeting reiterated the need for measures envisaged in the Declarations to build confidence between the parties, including through the creation of commissions on expropriated property and national reconciliation and the release of ex-M23 detainees by the Government of the Democratic Republic of the Congo.

III. Mandate implementation

A. National processes and the good offices role of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

29. MONUSCO continued to support the Government in implementing its national commitments under the Framework. The controversy over the electoral law and the violent protests in Kinshasa and elsewhere in the country underscored the importance of the Mission's good offices role and quiet diplomacy efforts in the context of the electoral process. Political parties from the opposition and the ruling coalition, as well as civil society actors, called upon MONUSCO to facilitate a political dialogue with a view to de-escalating tensions and creating conditions conducive to the holding of credible and timely elections. To that end, MONUSCO intensified contacts and exchanges with stakeholders across the political spectrum.

30. MONUSCO continued to provide support to the National Oversight Mechanism in monitoring, implementing and evaluating the national commitments.

31. MONUSCO strengthened its capacity to provide advice and support to the Government on security and justice sector reform with specialized expertise in the areas of internal security sector governance, private security companies, internal accountability and police reform, parliamentary oversight, and defence reform.

Regular meetings were held with key international partners with a view to enhancing coherence in both the assistance and advice that is being provided to the Government.

32. With regard to the reform of the national police, a national training strategy was developed and submitted for the approval of the Commissioner General. Sixty national police officers deployed in eastern Democratic Republic of the Congo completed a training programme aimed at preventing sexual violence with the support of MONUSCO and the United Nations Development Programme (UNDP). The Mission continued to provide support to the inspectorate general of the police with a view to enhancing its capacity to process complaints. MONUSCO and UNDP also continued to support the implementation of a joint justice support programme, the main objectives of which are the development of a national action plan for the reform of the Congolese justice system and the provision of assistance for the establishment of an effective constitutional court that will be in charge of settling disputes arising from the general elections scheduled for 2016. Funds to support the programme will be mobilized in the framework of the Global Focal Point for the Police, Justice and Corrections arrangements.

33. Continuous advocacy led to the national authorities agreeing to revise the prison reform plan and develop a nationwide curriculum for prison officers. A quarterly plan was developed focusing on prison staff capacity-building, following the validation of 11 training modules on 12 February. Efforts are under way for the establishment of a steering committee on prison matters and MONUSCO continues to provide technical advice and assistance on the general management and operation of prisons in areas freed from armed groups. The lack of adequate resources and capacity within the Government and the United Nations country team on corrections-related matters remains a concern. In that regard, given the critical role of the Mission in the handover of corrections-related tasks, MONUSCO continues to support the Congolese authorities in efforts to establish functional, professional and accountable judicial and security institutions, including safe, secure and humane prisons.

34. MONUSCO continued its efforts in eastern Democratic Republic of the Congo to support the extension of State authority to areas freed from armed groups through the provision of assistance to the provincial authorities. These early stabilization efforts are supported by 72 quick-impact projects with a value of approximately $4.2 million, focusing on the restoration of State authority.

B. Neutralization of armed groups

35. In support of the national authorities, MONUSCO carried out targeted joint offensive operations to prevent the expansion of armed groups and to neutralize and disarm them. MONUSCO focused its efforts on operations against ADF, FDLR, FNL, FRPI and Mayi-Mayi groups.

36. In the area of Beni (North Kivu), MONUSCO supported FARDC operations targeting ADF elements. Between 5 and 16 January, five ADF elements surrendered and three were arrested. Between 1 and 12 January, MONUSCO and FARDC forces mounted Operation Umoja II, which resulted in the killing of seven ADF elements, the seizure of five weapons and the recovery of several documents that provided information on the group. The operation also dislodged ADF from five different camps around Medina, where the armed group used to have its headquarters. Operation Umoja III, which was launched by MONUSCO and FARDC on 25 January,

is ongoing. The MONUSCO framework brigades and the Force Intervention Brigade are engaged in these operations.

37. On 29 January, the Government of the Democratic Republic of the Congo announced the launch of military operations against FDLR. The Mission supported FARDC in planning operations against FDLR and prepositioned MONUSCO troops and its Force Intervention Brigade with a view to better assisting FARDC operations. Joint mission planning covered military, police and civilian activities, coordinated with humanitarian contingency planning, taking into account lessons learned from previous operations. On 11 and 13 February, MONUSCO notified the Government that, in view of allegations of human rights violations against generals recently appointed to lead the operations, it would not be in a position to support them, in line with the human rights due diligence policy on United Nations support to non-United Nations security forces. On 15 February, the President of the Democratic Republic of the Congo indicated that FARDC would carry out military operations against FDLR without MONUSCO support. Towards the end of February, FARDC launched operations against FDLR in various parts of North Kivu and South Kivu. The Minister of Information and Spokesperson of the Government, Lambert Mende, announced on 1 March that FARDC had captured several FDLR combatants, including two majors. A number of FDLR combatants were also reportedly killed.

38. An operation against FNL in South Kivu was planned and executed jointly by FARDC and MONUSCO in January, as a precursor to operations against FDLR. The operations forced FNL and Mayi-Mayi groups in South Kivu out of their stronghold in the Ruzizi plain. The operations resulted in the surrender of 64 Mayi-Mayi Raya Mutomboki and seven FNL elements. On 24 February, in follow-up to those operations, FARDC launched operations against FDLR in Uvira territory (South Kivu). Three FDLR elements were reportedly captured.

39. In Ituri district, Orientale, MONUSCO planned and executed, jointly with FARDC operations targeting FRPI after the arrest of Cobra Matata on 2 January. In Orientale, MONUSCO continued to provide logistical, operational and information-sharing support to FARDC troops operating under the African Union Regional Task Force against LRA. MONUSCO conducted joint operations with FARDC and the Task Force — with support from the United States Africa Command — in the western part of Garamba National Park and provided logistics and information-gathering assistance. Following the operations, 15 LRA dependants escaped and five LRA commanders are currently negotiating their surrender.

C. Protection of civilians

40. MONUSCO continued its efforts to protect civilians in key areas of concern in eastern Democratic Republic of the Congo, including by conducting patrols, both during the day and at night, and providing escorts to humanitarian actors, United Nations agencies, funds and programmes and non-governmental organizations.

41. MONUSCO also stepped up efforts to protect civilians through increased interaction with the local population and advocacy efforts with local and national authorities. The United Nations system revised its strategy for the protection of civilians in December 2014 with the aim of better coordinating activities between MONUSCO and the United Nations country team and supporting the Government's efforts to fulfil its obligations with regard to the protection of civilians.

42. More than 50 local protection committees in five provinces received around 270 early warning alerts. MONUSCO responded in 21 per cent of the cases; 46 per cent of the alerts were conveyed to the national security forces and 14 per cent to local civilian authorities. In the remaining 19 per cent of cases, the alerts proved either false or were received after the incident. In approximately 40 per cent of cases, violations against civilians were prevented.

43. In North Kivu, MONUSCO established a provincial early warning analysis and response cell to enhance its efforts to protect civilians, and placed human rights investigation teams on standby to be deployed within 48 hours of notice. Alerts from the cell contributed to the redeployment of FARDC soldiers in some areas of concern in Walikale and Masisi territories, and enhanced monitoring and patrolling activities by MONUSCO. The Mission conducted awareness-raising activities on the early warning networks in areas that could be affected by military operations against FDLR and worked with some 90 communities in North Kivu to improve local early warning systems. Two joint assessment missions, including representatives of the Mission's civilian and police components and the United Nations Children's Fund (UNICEF), were conducted on the Kiwanja-Nyamilima and Nyanzale-Kibirizi axes, Rutshuru territory, to assess protection concerns relating to Operation Sukola II and to monitor the implementation of relevant contingency plans. The findings were shared with the FARDC command.

44. In Beni (North Kivu), MONUSCO increased its patrolling activity along the Beni-Boikene-Mavivi-Oicha-Eringeti road, the axis affected by ADF activities, while readjusting the deployment of MONUSCO forces in the area with a particular focus on strategic locations such as Butembo, Eringeti, Kamango, Lubero and Similiki bridge.

D. Safety and security of United Nations personnel within the context of operations of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

45. In Beni, a United Nations formed police unit was pelted with stones during a night patrol on 16 February, seriously injuring one police officer. In other parts of the country, MONUSCO military operations did not result in any discernible increase in threats to United Nations personnel.

E. Monitoring the implementation of the arms embargo

46. The FARDC and MONUSCO recovered 487 automatic weapons and 1,251 rounds of 7.62-mm ammunition, which were handed over or left behind by elements of various armed groups, including Mayi-Mayi Nyatura, the Forces de défense des droits humains, the Alliance des patriotes pour un Congo libre et souverain and Mayi-Mayi Lafontaine. Most of the weapons used by armed groups in the Democratic Republic of the Congo were reportedly acquired from within the country or trafficked from Burundi, Uganda and the United Republic of Tanzania. On 25 February, the MONUSCO Force Intervention Brigade carried out a verification mission of 190 weapons recovered from armed groups to ascertain their origin, serial number and serviceability. Information related to the identification of

arms and ammunition recovered was systematically shared with the Group of Experts on the Democratic Republic of the Congo for traceability purposes.

F. Disarmament, demobilization, reintegration, repatriation and resettlement

47. As at 19 February, 98 members of Congolese armed groups and 102 members of foreign armed groups participated in the disarmament, demobilization, reintegration, repatriation and resettlement programme. Of those, 80 were combatants, including 70 from FDLR, while 70 were children associated with armed groups, 40 were dependants and 10 were civilians. The children associated with armed groups were released and placed in transit centres pending their family tracing, reunification and social integration by UNICEF and its partners. As at 19 February, 339 FDLR combatants, including 17 officers, and 1,119 of their dependants had voluntarily disarmed. MONUSCO continued to provide food, water and medicine to the combatants and dependants in the assembly camps in Kanyabayonga (North Kivu) and Walungu (South Kivu), while the Government is responsible for the management of the transit camp in Kisangani (Orientale).

48. Funding for the third national disarmament, demobilization and reintegration plan remains a concern. The Government has yet to make available the full $10 million it has pledged. On 27 January, the Government indicated it would make a first disbursement of $1.5 million, but has yet to do so. The disbursement of contributions from the World Bank and other donors is conditional upon the contribution of the Government. MONUSCO plans to contribute $6 million. The delay in launching the programme has prolonged the long-term cantonment of former combatants at pre-disarmament, demobilization and reintegration camps in Kamina, Kitona and Kotakoli, thus delaying their demobilization and reintegration and preventing other armed elements from laying down their weapons.

G. Mine action

49. The Mine Action Service of the United Nations undertook 376 operations in North Kivu, Orientale and South Kivu. A total of 1,500 items of explosive remnants of war were destroyed, as were 30 weapons and 80 rounds of small arms ammunition collected from former FDLR combatants in Walungu (South Kivu). In keeping with the revised concept for the protection of civilians from explosive remnants of war, the Mine Action Service assisted the MONUSCO Force Intervention Brigade in providing operational support to FARDC-led operations.

H. Promotion and protection of human rights and the fight against impunity

50. MONUSCO also supported the transfer of 29 inmates at high risk of escaping, including Lieutenant Colonel Bedi Engangela (alias Colonel 106), who was sentenced on 15 December 2014 by the South Kivu military court to life imprisonment for war crimes and crimes against humanity, to more secure facilities as a measure to address the persistent prison security concerns.

51. In accordance with the human rights due diligence policy on United Nations support to non-United Nations security forces, MONUSCO screened the human rights records of 124 FARDC and national police commanders and deputy commanders, including 116 FARDC officers and eight police elements upon the receipt of requests for support to their respective units. Of the 124 records screened, those of seven officers and the members of units under their command were deemed ineligible for support because of their background and because there were substantial grounds for believing that they might commit grave human rights violations. Twelve requests pertained to joint military operations in eastern Democratic Republic of the Congo, while 26 were related to other forms of support, such as transport on United Nations assets, fuel, rations and training. Effective 13 February, MONUSCO suspended the provision of support to FARDC units involved in Operation Sukola II (against FDLR) owing to concerns about the human rights records of two generals assigned on 25 January to lead operations in North Kivu, including operations against FDLR. While FARDC has, for the time being, ceased to cooperate with MONUSCO on operations against FDLR, MONUSCO cooperation with FARDC on operations against other armed groups, in particular ADF, has continued. Cooperation with the Congolese national police is also ongoing.

52. Through its prosecution support cells, MONUSCO continued to provide technical and logistical support to military justice authorities to investigate and prosecute for war crimes, crimes against humanity and other serious crimes alleged to have been committed by rebel groups and FARDC elements, including commanders in Katanga, North Kivu, Orientale and South Kivu provinces. MONUSCO facilitated investigation missions and the convening of mobile courts in Beni-Butembo, Bunia, Eringenti, Gety, Kasenyi, Kitchanga, Kolwezi, Likasi, Lubero, Mambasa, Mbau, Oicha, South-Irumu and Uvira. MONUSCO also monitored the criminal proceedings in Katanga against 67 followers of the political opponent and religious leader Pasteur Mukungubila, who were arrested in connection with attacks against government facilities in Kinshasa, Kindu and Lubumbashi on 30 December 2013.

I. Sexual violence

53. In January, MONUSCO recorded 15 cases of sexual violence in conflict, including eight cases in North Kivu alone. The main perpetrators were elements of armed groups, who were reportedly responsible for sexual violence against 10 of the 15 women victims. FDLR and FRPI were responsible for three and four cases, respectively. FARDC was reportedly responsible for sexual violence against the remaining five victims.

54. MONUSCO supported the establishment of the committee overseeing the implementation of the FARDC action plan against sexual violence. In the framework of a joint project on preventing and responding to sexual violence in North Kivu, Orientale and South Kivu, MONUSCO and UNDP funded and organized a three-month training programme on the instruction and investigation of sexual violence cases for 60 judicial police officers assigned to a special force for the protection of women and children. On 18 and 19 February, in Kinshasa, the FARDC Commission on Sexual Violence held a technical meeting with the support of the Team of Experts on the Rule of Law and Sexual Violence in Conflict, UNDP

and MONUSCO to review and adopt the FARDC action plan on combating conflict-related sexual violence.

J. Child protection

55. As at 13 February, MONUSCO had documented 298 cases of children (18 girls and 280 boys), including one Rwandan, who had escaped or were separated from armed groups. Sixty-nine were separated from the Forces démocratiques pour la libération du Rwanda-Forces combattantes Abacunguzi, 43 from Mayi-Mayi Raia Mutomboki and 30 from Mayi-Mayi Nyatura. Furthermore, five children formerly associated with armed groups who had been detained by FARDC, were released. In line with the joint action plan of the Government of the Democratic Republic of the Congo and the United Nations on ending and preventing child recruitment by armed groups, the Mission screened 154 FARDC troops and no children were identified. Four children were killed and four others were maimed by parties to the conflict in North Kivu, South Kivu and Orientale.

56. Having received reports that at least 35 per cent of FRPI elements were children, from 7 to 14 January MONUSCO conducted field visits in Aveba (Orientale) to advocate for the separation of children from FRPI. Negotiations with the FRPI leadership aimed at achieving the release of the children failed because the commanders claimed that there were no children among their ranks.

IV. Observations

57. The violent protests that took place from 17 to 23 January in Kinshasa, Goma and several other cities in the Democratic Republic of the Congo were a stark reminder that the electoral process is unfolding in a sensitive political environment fraught with tensions. I deplore the loss of lives, injury and destruction of property. It is the right of the Congolese people to demonstrate peacefully. Violence is not acceptable. It is the responsibility of the Government to allow and guarantee the peaceful expression of opinion. Demonstrators and their leaders must ensure that political objectives are pursued by non-violent means. Any response by the national security forces to violent protests must remain proportionate. I urge the Government to investigate the violence and take judicial or disciplinary measures against those responsible.

58. Restrictions on the freedoms of expression, association and assembly and the excessive use of force risk undermining public confidence in the credibility of the electoral process. I call on the Government to maintain the necessary political space. I urge all key stakeholders to resume political dialogue and discuss election-related matters in an inclusive and peaceful fashion, in the appropriate forums. My Special Representative stands ready to use his good offices to help narrow the gap between the main actors. I welcome the publication of a comprehensive electoral calendar, which is an important tool for keeping the process on track and ensuring that credible and timely elections will be held in accordance with the Constitution. It is now essential for the national institutions and all parties and partners to ensure that elections take place as scheduled and that all stakeholders accept the process. To this end, I encourage the Government and the political opposition to enter into a constructive dialogue with a view to building consensus around key electoral decisions, including funding and preparation of the voters' list.

59. There will be no solution to the problems in eastern Democratic Republic of the Congo if the regional dimension is not addressed. I am concerned that the lack of progress in addressing the problem of FDLR and fully implementing the Nairobi Declarations will further strain regional relations and undermine the resolve of the signatories to implement their commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region. I urge all stakeholders to work with my Special Envoy for the Great Lakes Region, Said Djinnit, to restore momentum and recommit to ending once and for all conflict and instability in the region.

60. FDLR remains a threat to the stability of eastern Democratic Republic of the Congo and the region. I welcome the commitment of the Government, subregional organizations and key troop-contributing countries to taking decisive action against FDLR, including through the launching by the FARDC of military operations. I also welcome the Government's determination to lead efforts in neutralizing FDLR. MONUSCO will continue to work closely with the Government of the Democratic Republic of the Congo to implement the mandate entrusted to it by the Security Council. The Mission stands ready to support these operations in accordance with the human rights due diligence policy on United Nations support to non-United Nations security forces. Respect for international humanitarian, human rights and refugee law constitutes one of the core values of the United Nations and a cornerstone of all United Nations activity. Neutralizing FDLR is a goal shared by the Government, the region and the United Nations. There is no purely military solution to the problem of FDLR, but there will be no solution without effective military pressure. Achieving results in operations against FDLR will require time and the continued commitment and effort of all stakeholders, including the Government of the Democratic Republic of the Congo and regional actors.

61. I am appalled by the continued atrocities committed by ADF and other armed elements in the area of Beni (North Kivu). I commend the determination of FARDC to neutralize this armed group under difficult conditions and welcome its cooperation with MONUSCO in operations against ADF. As outlined in my previous report to the Security Council (S/2014/957), MONUSCO is taking steps to enhance the effectiveness of both its Force Intervention Brigade and its framework brigades to better implement its mandate of neutralizing armed groups and protecting civilians. Offering sustainable alternatives to former combatants and extending State authority to areas freed from armed groups are an essential part of neutralizing armed groups. This requires the commitment of the Government to work in partnership with MONUSCO to address the underlying causes of conflict, such as governance issues and the illegal exploitation of natural resources by advancing key reforms and investigating, prosecuting and sanctioning those engaged in the national and transnational organized crime and illicit trade that fuels conflict.

62. I am concerned about the continued human rights violations and abuses taking place throughout the country. Armed groups and elements of the national security forces continue to commit human rights abuses, including rape, extrajudicial killings, violations against minors, arbitrary arrest, torture and abduction. I encourage the Government to expedite ongoing initiatives to protect and promote human rights and address impunity in cooperation with MONUSCO and other relevant partners.

63. As I recommended in my previous report, the Government of the Democratic Republic of the Congo should enter into a strategic dialogue with the United Nations aimed at jointly developing a gradual exit strategy for MONUSCO based on mutually agreed targets for the consolidation of the gains made over the past decade and the long-term stabilization of the country. This dialogue should be viewed as an opportunity to redefine the partnership between the United Nations and the Government and improve cooperation between the two. It is hoped that the dialogue will contribute to facilitating the transfer of tasks from MONUSCO to the Government and accelerate the Mission's exit, taking into account the primary responsibility of the Council for the maintenance of international peace and security and the sovereign rights and responsibilities of the Government of the Democratic Republic of the Congo.

64. In conclusion, I wish to extend my gratitude to my Special Representative for the Democratic Republic of the Congo and Head of MONUSCO, Martin Kobler, and my Special Envoy for the Great Lakes Region, Said Djinnit, their staff, the United Nations agencies, funds and programmes, as well as other international and regional organizations and the troop- and police-contributing countries for their active engagement in the Democratic Republic of the Congo and the Great Lakes region.

Map

Map No. 4412 Rev. 14 UNITED NATIONS
March 2015 (Colour)

Department of Field Support
Cartographic Section